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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : James U. Morrison Examiner: White, Everett
Serial No. : 09/829,707 Group Art: 1778
Filing Date : April 10, 2001 Docket No.: 26017-3
Title : METHOD AND COMPOSITION FOR CONTROLLED
RELEASE ACARBOSE FORMULATIONS

CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8*

I hereby certify that these papers are being deposited with the United States Postal Service on October 9, 2002, with sufficient postage as "FIRST CLASS MAIL" in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.

October 9, 2002
(Date)

Kara L. Krist
(type or print name of person mailing paper)

Kara L. Krist
Signature

Enclosures:

1. Amendment and Response to Office Action (8 pages, in duplicate);
2. Return receipt postcard.



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TC 1700 *10/24/02*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: James U. Morrison

Examiner: White, Everett

Application No.: 09/829,707

Group Art: ~~1778~~ 1623

Filing Date: April 10, 2001

Docket No.: 26017-3

Title: METHOD AND COMPOSITION FOR CONTROLLED RELEASE ACARBOSE FORMULATIONS

Commissioner for Patents
Washington, D.C. 20231

AMENDMENT AND RESPONSE TO FIRST OFFICE ACTION

Dear Sir:

This is in response to the Office Action dated July 9, 2002, issued in connection with the above-referenced application. The Office Action set a three-month shortened statutory period to respond. Accordingly, this response is timely filed. However, the Commissioner is hereby authorized to change any fees which may be due in connection with this Response, or credit any overpayment, to Deposit Account No. 02-2051.

In responding to this First Office Action, Applicant has used the new amendment format as described in 37 C.F.R. §1.121. Please amend the subject application as follows:

Please substitute claims 1 and 15 for the pending claims having the same claim numbers.

B
(Amended) 1. A method for producing an extended-release composition comprising mixing acarbose with a sustained release matrix to create said composition, such that said acarbose and sustained release matrix are combined to form a mixture.